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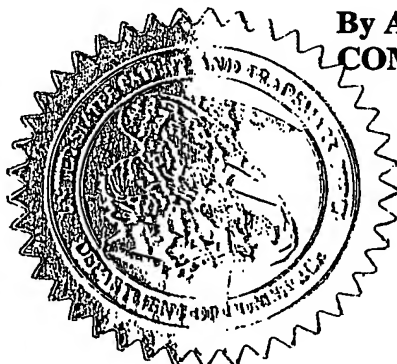
April 14, 2004

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APPLICATION NUMBER: 60/440,626

FILING DATE: *January 17, 2003*

RELATED PCT APPLICATION NUMBER: *PCT/US04/01071*



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Certifying Officer

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PROVISIONAL APPLICATION COVER SHEET

is a request for filing a PROVISIONAL APPLICATION under 37 CFR 1.53(c).

Docket Number 233054US

INVENTOR(s)/APPLICANT(s)

LAST NAME	FIRST NAME	MIDDLE INITIAL	RESIDENCE (CITY AND EITHER STATE OR FOREIGN COUNTRY)
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☐ Additional inventors are named on separately numbered sheets attached hereto.
TITLE OF THE INVENTION (280 CHARACTERS MAX)

NON-AQUEOUS MAKE-UP COMPOSITIONS CONTAINING AN EMULSIFIER

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**22850****ENCLOSED APPLICATION PARTS**

- ☒ Specification *Number of Pages:* 6 ☐ CD(s), Number
☐ Formal *Number of Sheets:* ☒ Other (specify): Advance Serial Number Card
Drawing(s) Application Data Sheet

METHOD OF PAYMENT

- ☐ Applicant claims small entity status. See 37 CFR 1.27.
☐ A check or money order is enclosed to cover the Provisional Filing Fees
☒ The Commissioner is hereby authorized to charge filing fees and credit any overpayment to Deposit Account Number 15-0030

PROVISIONAL
FILING FEE \$160.00
AMOUNT

The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.

- ☒ No.
☐ Yes, the name of the U.S. Government agency and the Government contract number are:

Respectfully Submitted,

January 17, 2003

DATE

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PROVISIONAL APPLICATION FILING ONLY

APPLICATION DATA SHEET

APPLICATION INFORMATION

Application Type::	PROVISIONAL
Subject Matter::	UTILITY
CD-ROM or CD-R?::	NONE
Title::	NON-AQUEOUS MAKE-UP COMPOSITIONS CONTAINING AN EMULSIFIER
Attorney Docket Number::	233054US

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TITLE OF THE INVENTION

Non-aqueous make-up compositions comprising an emulsifier

BACKGROUND OF THE INVENTIONField of the Invention

5 The present invention relates to long-wearing non-aqueous based make-up compositions such as mascara.

Discussion of the Related Art

Non-aqueous make-up compositions such as mascara are generally well-known. There are several properties of such compositions that are desirable for the wearer such as long-wear,
10 resistance to water exposure, smooth consistency, glossiness and overall satisfactory appearance. Accordingly, there is a need in the cosmetic art to provide make-up compositions such as mascara that exhibit these properties.

Emulsifiers useful in cosmetic compositions are generally well-known. As the name suggests emulsifiers are used to facilitate the emulsion of oil and water phases in various
15 compositions.

Prior to the present invention the addition of an emulsifier to a non-aqueous based make-up composition had not been described. The present inventors have surprisingly discovered that the wear of make-up such as mascara can be significantly improved by the addition of one or more emulsifiers.

20

SUMMARY OF THE INVENTION

Accordingly, one object of the present invention is to provide a non-aqueous based make-up composition comprising one or more emulsifiers. Preferably, the emulsifier(s) are present in an amount suitable for imparting a long-wear property to the make-up composition.

In one embodiment, the make-up is a mascara composition.

In an another embodiment, the emulsifier(s) are Tween 20, Glyceryl Stearate, Stearic acid, and/or sodium dihydroxycetyl phosphate.

Another object of the present invention is to provide a method of preparing a long-wearing make-up composition by adding one or more emulsifiers to the make-up composition. Preferably, the emulsifier(s) are added in an amount suitable for imparting a long-wear property to the make-up composition.

Another object of the present invention is to provide a method of making-up the eyes, hair, lips, and/or skin with the compositions of the present invention.

10

DETAILED DESCRIPTION OF THE INVENTION

The non-aqueous make-up compositions which can benefit from the addition of the emulsifier are generally any make-up commonly prepared for use in the cosmetic industry. In one embodiment, the non-aqueous make-up composition is mascara.

15 Examples of such compositions and methods of preparing the same are described in U.S. Patents 5945095; 595900; 6251375; and 6423306, the contents of which are incorporated herein by reference.

Emulsifiers useful for the non-aqueous make-up compositions are described, for example, in International Cosmetic Ingredient Dictionary and Handbook, 9th Ed (2002), the contents of which are incorporated herein by reference. Examples of emulsifiers useful for the invention are Tween 20, Glyceryl Stearate, Stearic acid, and/or sodium dihydroxycetyl phosphate. When using stearic acid it is preferred to combine with triethanolamine (TEA).

The emulsifier(s) are present in the non-aqueous make-up compositions such that they improve the wear of the composition to which it(they) is added.

“Long-wear,” “Improved wear” and similar terminology means the ability of the non-aqueous make-up composition to stay on the applied surface for long periods of time. As used in
5 the present invention, the terms refer to the ability of the present compositions to stay on the surface relative to similar compositions except that the emulsifier is not added.

Methods of preparing the non-aqueous make-up compositions are within the skill of the art. For example, as described in U.S. Patents 5945095; 595900; 6251375; and 6423306, the contents of which are incorporated herein by reference.

10 The non-aqueous make-up compositions can also contain other suitable ingredients employed in cosmetic or topical compositions may be employed in conjunction with the present invention. Such additives include, but are not limited to one or more preservatives such as methyl paraben, butyl paraben, propyl paraben, phenoxyethanol, sulfuric acid, benzoic acid, imidazolidinyl urea and other conventional preservatives, antioxidants, emollients, conditioning
15 agents , vitamins, vitamin derivatives, water proofing additives, botanical extracts, fillers, colorants, and fragrances.

Having generally described this invention, a further understanding can be obtained by reference to certain specific examples which are provided herein for purposes of illustration only and are not intended to be limiting unless otherwise specified.

20 The compositions can be used for making-up the eyes, hair, lips, and/or skin by applying the compositions of the present invention to the appropriate surface.

EXAMPLES

Various mascara compositions were prepared according to standard protocols as shown in the following Table:

Phase	INCI Name	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 6
A	Isododecane	51.33	31.19	30.89	31.90	31.69	30.19	30.99
	MK Resin	7.00	8.00	8.00	8.00	8.00	8.00	8.00
	Versagel MD 870	5.00	15.00	15.00	15.00	15.00	15.00	15.00
	Quaternium-18 Hecitorite	2.00	5.50	5.50	5.50	5.50	5.50	5.50
	Black Iron Oxide	5.00	6.00	6.00	6.00	6.00	6.00	6.00
B	Propylene Carbonate	0.66	1.80	1.80	1.80	1.80	1.80	1.80
	TEA	N/A	N/A	0.30	N/A	N/A	N/A	0.20
C	Paraffin	3.00	3.00	3.00	3.00	3.00	3.00	3.00
	Carnauba Wax	5.00	3.50	3.50	3.50	3.50	3.50	3.50
	Beeswax	7.00	4.00	4.00	4.00	4.00	4.00	4.00
	Polyamide Resin	5.00	6.00	6.00	6.00	6.00	6.00	6.00
	Synthetic Beeswax	4.00	3.50	3.50	3.50	3.50	3.50	3.50
	Lexorez 200	3.00	3.00	3.00	3.00	3.00	3.00	3.00
	Hydrogenated Polyisobutene	2.00	N/A	N/A	N/A	N/A	N/A	N/A
	Phenoxyethanol	0.01	0.01	0.01	0.01	0.01	0.01	0.01
	Permethrin 108A (Polyisobutene)	N/A	3.50	3.50	3.50	3.50	3.50	3.50
	Sodium Dihydroxyethyl Phosphate	N/A	1.00	N/A	N/A	N/A	2.00	1.00
	Stearic Acid	N/A	N/A	0.50	0.50	N/A	N/A	N/A
	Glycerol Stearate	N/A	N/A	0.50	0.50	N/A	N/A	N/A
	Tween 20	N/A	N/A	N/A	N/A	0.5	N/A	N/A
	Ultrasol (Alkyl Acrylates Copolymer)	N/A	5.00	5.00	5.00	5.00	5.00	5.00

The mascara compositions prepared above were tested in a Waterproof Study which was conducted as follows. Place a measured amount of product onto a glass slide and allow it to dry in room temperature chamber for 24 hours. Place slide in a beaker and immerse slide in a measured amount sufficient to cover slide. Place a stir bar in the middle of the slide and place on a stir plate. Allow the stir bar to turn at medium speed over slide for 2 hours. After 2 hours, determine if the stir bar has made a hole. If there is not a hole present, the product is deemed to be waterproof. The results of this study are presented in the following Table:

Example	Emulsifier System	Bulk Result	Waterproof Study
1	N/A	Matte, dry, grainy consistency	Passed with some smudging noted
2	Sodium Dihydroxycetyl Phosphate	High gloss and smooth consistency	Passed
3	Stearic Acid, Glyceryl Stearate, Triethanolamine	Higher gloss, smoother consistency in comparison to original	Passed
4	Stearic Acid, Glyceryl Stearate, without Triethanolamine	Less shiny, slightly more viscous, consistency is less smooth in comparison to previous batch, still better than original batch	Passed
5	Tween 20	Higher gloss in comparison to original batch, consistency has slightly improved	Passed
6	Increased Sodium Dihydroxycetyl Phosphate	High Gloss, very good consistency comparable to batch containing less of same emulsifier	Passed
7	Sodium Dihydroxycetyl Phosphate, Triethanolamine	Less glossy than previous batch, better than original batch without emulsifier	Passed